

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

	X	
	:	
INFOSYS LIMITED,	:	
	:	
	Plaintiff, :	1:21-cv-04372-GHW
	:	
-v -	:	<u>ORDER</u>
	:	
WHITTLE MANAGEMENT, INC.,	:	
	:	
	Defendant. :	
	:	
	X	
GREGORY H. WOODS, United States District Judge:		

Yesterday, Plaintiff filed a document styled as a “Notice of Hearing.” Dkt. No. 38. In the notice, Plaintiff announced, without leave of the Court, that a hearing would be held by telephonic means, rather than in person, and distributed a phone number for the conference. The Court did not authorize the filing of the “Notice of Hearing.” The Court did not decide that the hearing would take place exclusively by remote means.

The Court did authorize Plaintiff’s counsel to participate in the scheduled hearing by remote means by order on February 25, 2022 to spare him the expense of traveling to New York for the hearing. Dkt. No. 37. But the Court stated that the proceeding would otherwise “go forward as scheduled”—that is, as an in person conference in the courtroom announced by the Court in the order to show cause issued on January 10, 2022. Dkt. No. 34. The Court expressly did not change the hearing to a remote conference for a simple reason—the Court’s order to show cause provided the defendant substantial advance notice of the date, time and place of the hearing. A change in the place of the hearing or the manner in which it would be conducted would require additional written notice to the defendant, and would require that the notice be provided to the defendant substantially in advance of the hearing date. As a result, the Court did not convert the hearing to a remote hearing, but instead maintained the original schedule and place for the hearing, while authorizing

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Plaintiff's counsel to appear by remote means. This approach accommodated Plaintiff's counsel's request without the need for further notice to the defendant.

Counsel for Plaintiff is not authorized to unilaterally change the means of a Court-ordered conference or to issue a notice of a hearing not established by the Court. Counsel for Plaintiff is directed to write the Court regarding the rationale behind the "Notice of Hearing" and the basis for his authority to issue it on behalf of the Court no later than March 2, 2022. The letter should detail what additional steps should be taken to clarify for the defendant the time, place and manner of the hearing in light of the "Notice of Hearing" filed by him. The letter should address the means and timing by which any additional communication to the defendant will be provided to it.

SO ORDERED.

Dated: March 1, 2022
New York, New York



GREGORY H. WOODS
United States District Judge